

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

U.S EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION
Baltimore District Office

Plaintiff,

v.

FEDERAL EXPRESS CORPORATION,
Defendant.

FILED ENTERED
LODGED RECEIVED

MAR 2 - 2006

AT BALTIMORE
CLERK U.S. DISTRICT COURT
DISTRICT OF MARYLAND

3Y

DEPUTY

Civil No. WDQ-04-3129

Judge William D. Quarles, Jr.

SPECIAL VERDICT FORM

Count I -Reasonable Accommodation

1. Did the EEOC prove by a preponderance of the evidence that FedEx failed to provide reasonable accommodations to Ronald Lockart?

Yes

X

No

If yes, continue. If you have answered "no," proceed directly to Question 5.

2. If you have answered "yes" to Question 1, what amount, if any, of compensatory damages should be awarded to Mr. Lockhart for any pain, suffering, or mental anguish that Mr. Lockhart suffered as a consequence of FedEx failing to provide him a reasonable accommodation?

\$ 8,000

3. If you have answered "yes" to Question 1, do you find, with respect to FedEx's failure to provide a reasonable accommodation:

a. that the EEOC proved by a preponderance of the evidence that a higher management official of Federal Express acted with malice or reckless indifference to Plaintiff's federally protected rights?

Yes

X

No

b. that the EEOC proved by a preponderance of the evidence that FedEx did not act in a good faith attempt to comply with the law by adopting policies and procedures designed to prohibit such discrimination in the workplace?

Yes X No _____

If you have answered "yes" to both Questions 3a and 3b, proceed to Question 4. If you have answered "no" to either Questions 3a or 3b, proceed to Question 5.

4. If you have answered "yes" to Questions 3a and 3b, what amount, if any, of punitive damages should be awarded to Mr. Lockhart to punish FedEx for its wrongful conduct with regard to its failure to provide Mr. Lockhart a reasonable accommodation?

\$ 100,000

Count II -- Retaliation

5. Do you find that the EEOC proved by a preponderance of the evidence that FedEx discriminated against Mr. Lockhart by terminating him in retaliation for his requests for accommodation under the Americans with Disabilities Act or for his filing of a Charge with the EEOC?

Yes _____ No X

If you have answered "yes" to Question 5, proceed to Question 6. If you have answered "no" to Question 5, do not answer the following questions. Sign and date the form at the designated place and return it to the Court.

6. If you have answered "yes" to Question 5:

a. what amount, if any, of compensatory damages should be awarded to Mr. Lockhart for any lost wages, benefits, and/or out-of-pocket medical expenses that Mr. Lockhart suffered as a consequence of FedEx terminating his employment?

\$ _____

b. what amount, if any, of compensatory damages should be awarded to Mr. Lockhart for any pain, suffering, or mental anguish that Mr. Lockhart suffered as a consequence of FedEx's termination of his employment?

\$ _____

7. If you have answered "yes" to Question 5, do you find, with respect to FedEx's termination of Mr. Lockhart:

a. that the EEOC proved by a preponderance of the evidence that a higher management official of Federal Express acted with malice or reckless indifference

to Plaintiff's federally protected rights?

Yes _____ No _____

b. that the EEOC proved by a preponderance of the evidence that FedEx did not act in a good faith attempt to comply with the law by adopting policies and procedures designed to prohibit such discrimination in the workplace?

Yes _____ No _____

If you have answered "yes" to both Questions 7a and 7b, proceed to Question 8. If you have answered "no" to either Question 7a or 7b, do not answer the following question. Sign and date the form at the designated place and return it to the Court.

8. If you have answered "yes" to Questions 7a and 7b, what amount, if any, of punitive damages should be awarded to Mr. Lockhart to punish FedEx for its wrongful conduct with regard to its termination of Mr. Lockhart?

\$ _____

The Jury Foreperson should sign this form below and return it to the Court.

3/2/2006
Date

William J. McConnell
Jury Foreperson